

REMARKS

Claims 10, 12, 22, and 23 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 23 stands rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. Claims 10, 12, 22, and 23 stand rejected under 35 USC 103 as being unpatentable over Paulsamy (Publication) in view of Fangman (20020141390), Shah (20030161295), and Roshko (7333500). Claim 21 would be allowable if rewritten to overcome the 35 USC 112, second paragraph, rejection.

Applicant's Response to 35 USC 112 Rejections

Applicant has taken the allowable limitations of claim 21, which depended from and included the limitations of independent claim 10, and incorporated them into independent claim 10, thereby providing the omitted discovery step, and overcoming the rejection under Section 112 for claims 10, 12 and 22. Claims 17-21 were thus made redundant and have been canceled.

Applicant's Response to 35 USC 101 Rejections

Claim 23 has been cancelled.

Applicant's Response to 35 USC 103 Rejections

Independent claim 10 has been amended to include the limitations of allowable claim 21. Thus, independent claim 10, and claims 12, 22, and new claims 26-33 which depend from and include all the limitations of claim 10, should be in condition for allowance. The allowable limitations incorporated into claim 10 have also been incorporated into new independent claim 34. As a result claim 34 and its dependent claim 35 should also be in condition for allowance.

New Claims 26-35

New claims 26-33 depend from claim 10 and include limitations that were previously presented in cancelled claims 23-25 or are supported in the specification by paragraphs [0017], [0019], and [0026]. No new matter has been added.

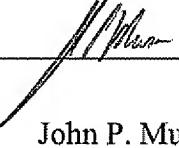
Conclusion

Applicants respectfully request reconsideration and allowance of the present application in view of the foregoing arguments.

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 9/3/08

By: 

John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830